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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/641,519	i	08/21/2000	Kevin J. Ryan	M4065.0290/P290	8610	
24998	7590	09/24/2003				
•		IRO MORIN & O	EXAMINER			
2101 L STR WASHING		20037-1526		PEUGH, BRIAN R		
				ART UNIT	PAPER NUMBER	
				2187	1 ^	
				DATE MAILED: 09/24/2003	10	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	SA
Advisory Action	09/641,519	RYAN, KEVIN J.	U
Advisory Action	Examiner	Art Unit	
	Brian R. Peugh	2187	
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence addi	ress
THE REPLY FILED 08 September 2003 FAILS TO PLAGE Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (1 condition for allowance; (2) a timely filed Notice of Appea Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applica ) a timely filed amendment which	ation. A proper reply n places the applica	to a tion in
PERIOD FOR RE	EPLY [check either a) or b)]		
a) The period for reply expires 3 months from the mailing date	-		
b) The period for reply expires on: (1) the mailing date of this a no event, however, will the statutory period for reply expire ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Offitimely filed, may reduce any earned patent term adjustment. See 37 CFR 1.17(a) is calculated from:	later than SIX MONTHS from the mailing S FILED WITHIN TWO MONTHS OF THe date on which the petition under 37 CFI of extension and the corresponding amo the shortened statutory period for reply ce later than three months after the mail	g date of the final rejection IE FINAL REJECTION. R 1.136(a) and the apprount of the fee. The appropriationally set in the final (	on. See MPEP  opriate extension opriate extension Office action; or
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFI			
2. The proposed amendment(s) will not be entered be	ecause:		
(a)  they raise new issues that would require further	er consideration and/or search (s	see NOTE below);	
(b)  they raise the issue of new matter (see Note b	pelow);		
(c)  they are not deemed to place the application i issues for appeal; and/or	n better form for appeal by mate	rially reducing or sin	nplifying the
(d)  they present additional claims without cancel	ing a corresponding number of fi	nally rejected claims	<b>S</b> .
NOTE:			
3. Applicant's reply has overcome the following rejection	tion(s):		
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed	amendment
5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ request for application in condition for allowance because: See		dered but does NO	Γ place the
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY to	o issues which were	newly
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we			nd an
The status of the claim(s) is (or will be) as follows:			
Claim(s) allowed:			
Claim(s) objected to: 8-12,15,16,19-21,30-34,37,38,4	41-43,47,48 and 51-53.		
Claim(s) rejected: <u>1,4-7,13,14,17,18,22-29,35,36,39</u> .	40,44-46,49,50 and 54-58.		
Claim(s) withdrawn from consideration:			
8. $\square$ The proposed drawing correction filed on is	a) ☐ approved or b) ☐ disapp	roved by the Examir	ner.
9. Note the attached Information Disclosure Statemen	nt(s)( PTO-1449) Paper No(s)	•	
10. Other:			
			•

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments are drawn toward comparing the 102(e) rejection reference (US# 6,504,780) and the parent reference (US# 5,999,474). The 102(e) reference does not recite the parent reference material verbatim. The parent reference recites a broader interpretation of the claimed subject matter (as referenced in the Office Action of June 18, 2003) than the 102(e) reference, and the subject matter of the parent application reads upon the claimed subject matter.

DONALD SPARKS
SUPERVISORY PATENT EXAMINER